

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Mail Stop: ISSUE FEE**
Masataka NADAOKA et al. : **Confirmation No. 8710**
Serial No. 10/031,988 : Group Art Unit 1641
Filed May 6, 2002 : Examiner Christopher L. Chin
BIOSENSOR : Attorney Docket No. 2002_0074A

**REQUEST FOR ACKNOWLEDGMENT OF RECEIPT OF CERTIFIED
COPY OF FOREIGN PRIORITY DOCUMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Notice of Allowability dated March 31, 2009, the Examiner has acknowledged the claim to foreign priority under 35 U.S.C. § 119, but has indicated that none of the certified copies of the priority documents have been received.

Applicants note, however, that in the Office Action mailed September 19, 2005, the Examiner clearly indicated in item 12 of the Office Action Summary that all copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau. A copy of the above-noted Office Action Summary page is enclosed herewith, along with a copy of the Form PCT/IB/304, which shows that the priority document was submitted to the International Bureau in compliance with Rule 17.1(a) or (b), and that the certified copy of the priority document was received by the International Bureau on July 13, 2001.

In view of the foregoing, Applicants note that because the priority document was properly submitted to the International Bureau, and because the Examiner has already acknowledged receipt of the certified copy of the priority document for the present national stage application, Applicants presume that the indication in the Notice of Allowability that none of the certified copies of the priority documents have been received is a typographical error.

However, in order to clarify the record, Applicants kindly request confirmation from the USPTO that the certified copy of the priority document has been received in this National Stage application from the International Bureau.

Respectfully submitted,

Masataka NADAOKA et al.

/Kenneth W. Fields/

By 2009.04.14 16:10:05 -04'00'

Kenneth W. Fields

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April 14, 2009

Office Action Summary	Application No.	Applicant(s)	
	10/031,988	NADAOKA ET AL.	
	Examiner	Art Unit	
	Leon Y. Lum	1641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-14,16-23,25-33 and 35-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-14,16-23,25-33 and 35-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

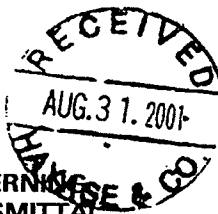
- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/6/02; 5/2/05</u> | 6) <input type="checkbox"/> Other: _____ |

PATENT COOPERATION TREATY

PCT

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)



From the INTERNATIONAL BUREAU

To:

HAYASE, Kenichi
Hayase & Co., Patent Attorneys
8F, Esaka ANA Bldg.
17-1, Enoki-cho
Suita-shi
Osaka 564-0053
JAPON

Date of mailing (day/month/year) 22 August 2001 (22.08.01)	
Applicant's or agent's file reference P25364-PO	IMPORTANT NOTIFICATION
International application No. PCT/JP01/04419	International filing date (day/month/year) 25 May 2001 (25.05.01)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 26 May 2000 (26.05.00)
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
26 May 2000 (26.05.00)	2000-157049	JP	13 July 2001 (13.07.01)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

BARRIOS Leslie

les

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